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Prevention of genocide under International law

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Stellingen behorende bij het proefschrift van Etienne Ruwebana, **Prevention of Genocide under International Law: An analysis of the obligations of States and the United Nations to prevent genocide at the primary, secondary and tertiary levels**, 12 June 2014

1. The ordinary meaning of prevention and its scope dictate that it be carried out in a continuous process, *i.e.* at the primary, secondary and tertiary levels.
2. The prevention of genocide in (international) law should be based on the ordinary meaning of prevention for it to serve its purpose.
3. The obligation to prevent genocide has its own legal status and it binds all states (including the non-parties to the Genocide Convention) and the United Nations.
4. The obligation to prevent genocide obligates its bearers to take concrete preventive measures at each level and it is not territorially limited.
5. The recent situation in the Central African Republic underlines that concrete preventive measures must be taken by states and the UN from the earliest stage in the process leading to genocide and not when it is already too late.
6. Adopting legislation that penalises behaviour that may lead to genocide, and acts constituting genocide, as well as the adoption of universal jurisdiction and its exercise, should not be understood as optional but as a requirement.
7. The creation of national and international institutions to actively monitor the prevention of genocide and to coordinate the actions by states and the UN is indispensable for making the prevention of genocide in the future more effective.
8. The Responsibility to Protect is a useful concept but it would have never been developed if states and the UN had fulfilled the existing legal obligation to prevent genocide.
9. The Responsibility to Protect should be used to serve the obligation to prevent genocide instead of absorbing or suffocating it. It should be developed in a direction that enhances the obligation to prevent genocide instead of weakening it.
10. The attitude upon which the old Dutch rule '*Wie het water deert, die het water keert*' was based in the prevention of water floods should have no place towards the prevention of genocide today.
11. The word *hallo* is not always used as a greeting in the Netherlands. People who just arrived in the Netherlands should be sure of how it is used before they can happily respond to it.